

WATCHDOG REPORT
WHEN POLICE FIRE THEIR WEAPONS

Shooting dogs on city streets

RPD fired 217 times at 87 often vicious dogs in last 5 years

Findings

- When Rochester police fire their guns, they're aiming at dogs two-thirds of the time.
- Half of all dog shootings involve a single shot.
- Four out of five dogs shot at are pit bulls.

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An enraged pit bull charges a Rochester police officer struggling to corral him into a patrol car. The officer fires his Beretta 16 times, emptying the gun, hitting the dog with at least six shots and lodging a bullet in a nearby house.

The scenario is among dozens of dog shootings described in vivid detail in weapons discharge reports filed by Rochester police officers, who more often than not are aiming at canines when they fire their guns.

Police have shot at 87 dogs, killing 35 and injuring 33, in the line of duty over the last five years, according to a review of police reports from 2004 to April 2009 obtained by the *Democrat and Chronicle* under the Freedom of Information law. Some of the injured were later euthanized.

Over the same period, police fired at nine people and used their guns to kill 36 deer, all of them injured before police were summoned. Guns discharged accidentally three times.

All of the dog shootings were

DOGS, PAGE 12A

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Dogs

FROM PAGE 1A

determined to be within Rochester Police Department guidelines, which permit the use of deadly force on animals when they are attacking or presenting an imminent danger to any person.

Officers may also put down an animal with supervisor permission if the animal is injured and suffering.

But in only five instances did officers come into physical contact with the canines they targeted, according to the report. One officer was injured, a dog bit to his right leg required 19 stitches.

In one case in November 2007, a pit bull was fatally shot while penned in a front porch enclosed in glass. The report described an officer in red gear leading a search warrant team onto the porch and shooting through the glass door with a shotgun. The dog was blocking the entrance into the house, the report read.

Two years earlier, the same officer blew out a glass storm door that "he began to open" when a Rotweiler jumped on it at the sight of police, according to the report.

The buckshot missed the dog and penetrated the front door.

Another shooting in September 2008 involved a leashed mastiff that charged at an officer. Police reported: "The dog was leashed, however the leash was long enough to allow the dog to charge the officer. The dog was treated after the officer fired twice, missing both times.

Reliable national statistics data on dog shootings by police are not available, but Dana Campbell, a Rochester-based lawyer for the Animal Legal Defense Fund, said anecdotal evidence suggests such incidents are increasingly common.

"It seems to be epidemic," Campbell said, "that folks would be alarmed to know how many cases of this are going on out there."

Many are pit bulls

The number of dogs shot at by Rochester police in 2008, when 22 dogs were targeted, was nearly double the 12 dogs fired upon in 2004 but about half of the 41 reportedly shot at in 2006. Light dogs were fired upon in the first four months of 2009. The number of dogs killed each year has remained steady at about six.

Nearly four out of every five dogs shot at by police were pit bulls. About a third of the incidents occurred while police were executing a search warrant in which they forced entry and were confronted by aggressive dogs, according to the report.

The dogs were in many cases that they refused to retreat even after being shot several times. During a raid on an upstairs apartment on Emerson Street in 2006, an officer shot a pit bull in the face and chest upon entry. When that failed to deter the dog, the officer and his colleague fired nine more rounds into the dog's face, chest and sides. "Each time the dog refused to go down and kept advancing on the entry team," the report read.

Domestic said, "Their responsibility is to protect

to suppress a German shepherd during a raid on Culver Road in 2006, according to the report. While the mayhem ensued, a pit bull that had retreated to a bedroom leapt onto the window and ran away.

In both cases, police arrested people on drug charges. In the Culver Road incident, a couple sued the city and other law enforcement agencies involved in the raid for \$10 million.

The case is still in federal court.

Animal rights advocates and law enforcement officials said pit bulls, with their vicious jaws, are the breed of choice among drug dealers, who train the dogs to protect their illicit behavior. When police raided another suspected drug den on Emerson Street in 2007, they encountered a pit bull with a weight limit around its neck, presumably, the report stated, to strengthen its muscles.

Notwithstanding, hostile dogs can be restrained without lethal force, but most police forces are not trained to do so, said Randall Lockwood, a vice president at the American Society for the Prevention of Cruelty to Animals who conducts training for police departments across the country.

"The standard most police operate under is if an officer feels there is a danger to the safety of others, then the use of lethal force is justified," Lockwood said.

"It's a very low standard. One could feel threatened because they're afraid of dogs, or they're afraid of dogs, or they're afraid of dogs, or they're afraid of dogs," he said.

He said that while police are trained to use batons or pepper spray to subdue people, instructions for using such implements on dogs is largely absent.

"There is virtually no training," Lockwood said. "When I'm asked to come in and do training, it's because there has been an incident."

Owners' responsibility

Deputy Chief George Markert said officers are not trained to handle aggressive animals.

When officers are confronted by vicious dogs, he said, they are taught to assess the danger and rely on their firearms training and department guidelines.

The training, he said, includes teaching officers who open fire to continue firing until they determine that the threat is shot.

Chris Fitzgerald, director of Rochester Animal Services, which has been a unit of the Police Department since 2000, said the two-hour training gets with new recruits at the police academy is devoted to lessons in animal cruelty and dangerous animal laws, as required by state law.

Fitzgerald, who teaches dog-life prevention to the public, said he is in discussions about whether to incorporate dog-life prevention into police training.

Rene DiDomenico, an animal cruelty investigator with the Humane Society and a former Monroe County sheriff's officer, said he believed such instruction was unnecessary.

"They really shouldn't have to have training," DiDomenico said. "Their responsibility is to protect

Police firearms discharged

In the past year, 2008, 66 percent of targets fired at by Rochester police in the line of duty have been dogs. The number of shots fired is significantly higher than the number of dogs targeted.

Targets fired at

Shooting statistics from 2004-April 2009

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